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Attorneys for Defendant,
BITDEFENDER INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

FINJAN, INC., a Delaware Corporation,

Plaintiff,

v.

BITDEFENDER INC., a Florida Corporation,
and BITDEFENDER S.R.L., a Romanian
Corporation,

Defendants.

Case No.: 4:17-cv-4790-HSG

**STIPULATION AND ORDER
EXTENDING THE TIME TO
ENTER A PROTECTIVE ORDER
AND AN ORDER REGARDING
DISCOVERY OF
ELECTRONICALLY STORED
INFORMATION**

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, and the Court's Standing Order for Civil
2 Cases regarding discovery disputes, Plaintiff Finjan, Inc. ("Finjan") and Defendant Bitdefender,
3 Inc. ("Bitdefender") (collectively, the "Parties") submit this Stipulation and [Proposed] Order
4 Extending the Time to Enter a Protective Order and an Order Regarding Discovery of
5 Electronically Stored Information ("ESI").

6 WHEREAS, on November 14, 2017, the Parties filed their Joint Case Management
7 Conference Statement with the Court at Dkt. No. 23, wherein the Parties agreed to enter a
8 stipulated Protective Order and ESI Order no later than December 15, 2017;

9 WHEREAS, the Court issued a Scheduling Order on November 27, 2017 at Dkt. 27, which
10 sets the deadline for the Parties to submit a Protective Order and ESI Order on December 15, 2017;

11 WHEREAS, on December 7, 2017, Finjan sent Bitdefender a proposed Protective Order
12 and a proposed ESI Order;

13 WHEREAS, on December 14, 2017, Bitdefender sent Finjan proposed edits to the draft
14 Protective Order and ESI Order;

15 WHEREAS, on December 14, 2017, the Parties met and conferred on the differences
16 between their proposed Protective Orders and ESI Orders, but could not come to a compromise;

17 WHEREAS, the Parties believe they are at an impasse and seek to submit this dispute to the
18 Court by joint letter-brief, pursuant to the Court's standing order on discovery disputes;

19 WHEREAS, the Parties have agreed to submit a joint letter-brief on this topic no later than
20 December 22, 2017, at 5:00 p.m. pacific standard time;

21 WHEREAS, in order to allow the Parties time to submit a joint letter-brief, and the Court
22 time to review the letter-brief and issue a ruling, the Parties have agreed to extend the deadline to
23 submit a stipulated Protective Order and ESI Order until such time as the Court may rule on the
24 Parties' December 22, 2017 joint letter-brief;

25 WHEREAS, the requested change does not otherwise affect the case schedule.
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1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among
2 counsel for Finjan and counsel for Bitdefender that the deadline to submit the Parties' joint letter-
3 brief regarding competing proposals for the Protective Order and ESI Order is December 22, 2017,
4 at 5:00 p.m. pacific standard time. THE PARTIES FURTHER STIPULATE AND AGREE that the
5 deadline to submit a Protective Order and ESI Order in this action is extended until such time as the
6 Court may rule on the Parties' December 22, 2017 joint letter-brief.

7
8 Respectfully submitted,

9 DATED: December 15, 2017

By: /s/Austin Manes

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Attorneys for Plaintiff
FINJAN, INC.

18
19 Respectfully submitted,

20 DATED: December 15, 2017

By: /s/Oleg Elkhunovich

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5 Attorneys for Defendant,
6 BITDEFENDER INC.

7 **ATTESTATION**

8 In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
9 document has been obtained from any other signatory to this document.

10 /s/ Austin Manes


11 Austin Manes
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1 **ORDER**

2 Pursuant to the Parties' Stipulation, it is hereby ordered that the Parties shall submit a joint
3 letter-brief regarding competing proposals for the Protective Order and ESI Order no later than
4 December 22, 2017, at 5:00 p.m. pacific standard time. It is further ordered that the deadline to
5 submit a Protective Order and ESI Order in this action is extended until such time as the Court may
6 rule on the Parties' December 22, 2017 joint letter-brief.

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8 IT IS SO ORDERED

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10 Dated: December 15, 2017

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12 HON. HAYWOOD S. GILLIAM, JR.
13 United States District Court Judge
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